



12-10-01

A

UTILITY PATENT APPLICATION TRANSMITTAL

Submit an original and a duplicate for fee processing
(Only for new nonprovisional applications under 37 CFR 1.53(b))

11046 U.S. PTO
10/008721
12/07/01

ADDRESS TO:		Attorney Docket No. 98,723-E1
Assistant Commissioner for Patents Box Patent Application Washington, D.C. 20231		First Named Inventor Juan Saus
EXPRESS MAIL NUMBER:		Express Mail No. EJ281346901US
APPLICATION ELEMENTS		ACCOMPANYING APPLICATION PARTS
1. <input checked="" type="checkbox"/> Transmittal Form with Fee 2. <input checked="" type="checkbox"/> Specification (including claims and abstract) [Total Pages 55] 3. <input checked="" type="checkbox"/> Drawings [Total Sheets 10] 4. <input type="checkbox"/> Oath or Declaration [Total Pages] a. <input type="checkbox"/> Newly executed b. <input type="checkbox"/> Copy from prior application [Note Boxes 5 and 18 below] i. <input type="checkbox"/> <u>Deletion of Inventor(s)</u> Signed statement attached deleting inventor(s) named in the prior application		9. <input type="checkbox"/> Assignment Papers 10. <input type="checkbox"/> Power of Attorney 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure Statement (IDS) <input type="checkbox"/> PTO-1449 Form <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (Should be specifically itemized) 15. <input type="checkbox"/> Certified Copy of Priority Document(s) 16. <input type="checkbox"/> A Request for non-publication pursuant to 35 U.S.C. § 122(b)(2)(B)(i) 17. <input type="checkbox"/> Other:
5. <input type="checkbox"/> Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein. 6. <input type="checkbox"/> Computer Code Listing (See 1.96) a. <input type="checkbox"/> Microfiche Appendix b. <input type="checkbox"/> CD-Rom (in duplicate, with separate transmittal) 7. <input checked="" type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission a. <input checked="" type="checkbox"/> Computer Readable Copy b. <input checked="" type="checkbox"/> Paper Copy c. <input checked="" type="checkbox"/> Statement verifying above copies 8. <input checked="" type="checkbox"/> Small Entity Status <input checked="" type="checkbox"/> is claimed <input type="checkbox"/> Statement filed in prior application; status still proper and desired <input type="checkbox"/> is no longer claimed.		
18. <input type="checkbox"/> This is a CONTINUING APPLICATION. Please note the following: <ul style="list-style-type: none"> a. <input type="checkbox"/> This is a <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part of prior application b. <input type="checkbox"/> Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one claim must remain.) c. <input type="checkbox"/> Amend the specification by inserting before the first line the sentence: This is a <input type="checkbox"/> continuation <input type="checkbox"/> divisional <input type="checkbox"/> continuation-in-part of application Serial No. _____ d. <input type="checkbox"/> The prior application is assigned of record to _____ 		

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 98,723-E

APPLICATION FEES

BASIC FEE				\$ 740.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	23 -20=	3	x \$18.00	\$ 54.00
Independent Claims	2 - 3=	0	x \$84.00	\$
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable				+\$280.00 \$
				Total of above calculations = \$ 794.00
				Reduction by 50% for filing by small entity = \$(397.00)
<input type="checkbox"/> Assignment fee if applicable				+\$40.00 \$
				TOTAL = \$ 397.00

19. Please charge my Deposit Account No. 13-2490 in the amount of \$20. A check in the amount of \$379.00 is enclosed.

21. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490:

- a. Fees required under 37 CFR 1.16.
- b. Fees required under 37 CFR 1.17.
- c. Fees required under 37 CFR 1.18.

22. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time.

23. CERTIFICATE OF MAILING

I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to the Asst. Commissioner for Patents, Box Patent Application, Washington, DC 20231, on the date indicated below.

24. USPTO CUSTOMER NUMBER



20306

PATENT TRADEMARK OFFICE

McDonnell Boehnen Hulbert & Berghoff

25. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name	David S. Harper
Reg. No.	42,636
Signature	
Date	12/7/01

UTIL (Rev. 11/21/00)

PATENT

Asst. Commissioner for Patents
Washington, D.C. 20231

**COMPLIANCE WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Sir,

As required by 37 C.F.R. 1.821 - 1.825, the content of the sequence listing paper copy and computer readable copy are the same.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Dated: 12/7/01 By:

David Harper
Reg. No. 42,636

12/07/01
JC682 U.S. PTO

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98,723-E1)

In re Application of:

Juan Saus

Serial No.: To be Assigned

Filed: Herewith

For: TNF-Inducible Promoters and Methods for Using

) Art Unit: To be assigned

) Examiner: To be assigned

Asst. Commissioner for Patents
BOX NEW APPLICATION
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

1. We are transmitting herewith the attached papers for the above-identified new patent application:
2.
 - Utility Patent Application Transmittal (in Duplicate) (2 sheets);
 - Patent Specification (55 pages)
 - Drawings (10 pages)
 - Sequence Listing Compliance Statement under 37 C.F.R. 1.821 – 1.825 (1 page)
 - Return Receipt Postcard
2. A check in the amount of \$379.00 is enclosed for the Small Entity Utility Application Filing Fee.
 Please charge the total filing fee of \$0.00 to our Deposit Account No. 13-2490.
A duplicate copy of this sheet is enclosed.
3. **CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 CFR § 1.10:** The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to: U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, Box NEW APPLICATION, on this 7th day of December, 2001. Express Mail No. **EJ281346901US**.

By: 